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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,172	04/07/2006	Tatsuya Ikeda	40145	6813

52054 7590 10/05/2007
PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND, OH 44114-3108

EXAMINER

SHAW, CLIFFORD C

ART UNIT	PAPER NUMBER
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1725

NOTIFICATION DATE	DELIVERY MODE
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10/05/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patdocket@pearne.com
dchervenak@pearne.com

Office Action Summary

Application No.

10/575,172

Applicant(s)

IKEDA ET AL.

Examiner

Clifford C. Shaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 0407.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Detailed Action

1.) In the information disclosure statement (IDS) filed on 4/7/2006, applicant lists two Japanese documents, 7-100649 and 2002-172574. Applicant is advised that no copies of these documents were received, and they have been marked through on the form PTO-1449 attached to the IDS as “not considered by examiner”. Applicant is further advised that these documents have been cited in the attached form PTO-892.

2.) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.) Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al. (6,459,958). Figures 2, 4, and 5 and the discussion in columns 2-4 of the patent to Watanabe et al. (6,459,958) disclose an arc welding robot with the features claimed, including: a manipulator at 1; a control unit 3; a welding part 2; and a recording means and display means associated with 10. In regard to claim 2, see the discussion at column 3. lines 30-55 regarding the starting and stopping of recording.

4.) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5.) Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (6,459,958) as applied to claims 1-3 above, and further in view of Hirayama et al. (6,271,500). Figures 4 and 5 of the patent to Watanabe et al. (6,459,958) disclose enlarged and reduced horizontal and vertical graphs and figure 4 shows a display with an operation program name. The only aspect of the claim to which the rejection above does not apply is the provision for displaying a "teach point name". This difference does not patentably distinguish over the prior art. At the time applicant's invention was made, it would have been obvious to have referenced the welding data in Watanabe et al. (6,459,958) to a robotic teach point as claimed, the reason being the teachings of Hirayama et al. (6,271,500) that it is advantageous to reference arc welding data to robot teach points (see figures 4 and 5 and the discussion thereof in Hirayama et al. (6,271,500)).

6.) Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (6,459,958) as applied to claims 1-3 above, and further in view of Ivkovich (6,583,386). The only aspect of the claim to which the rejection above does not apply is the provision for a display control for adding or deleting items of waveform data. This difference does not patentably distinguish over the prior art. At the time applicant's invention was made, it would have been obvious to have provided the system of Watanabe et al. (6,459,958) with the display control claimed, the reason being the teachings of Ivkovich (6,583,386) that the same is advantageous in an arc-welding data recording system (see the display control in figure 8 in Ivkovich (6,583,386)).

7.) Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (6,459,958) as applied to claims 1-3 above, and further in view of the Japanese document no. JP07-100649A. The only aspect of the claim to which the rejection above does not apply is the provision for a display means in a teach pendant. This difference does not patentably distinguish over the prior art. At the time applicant's invention was made, it would have been obvious to have provided the system of Watanabe et al. (6,459,958) with a teach pendant having a display means as claimed, the reason being the teachings of the Japanese document no. JP07-100649A that the same is advantageous for a robotic arc welder (see the English abstract, figures 4 and 5, and the pendant 6 in the Japanese document no. JP07-100649A).

8.) Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (6,459,958) taken with the Japanese document no. JP07-100649A as applied to

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claim 6 above, and further in view of Bong et al. (6,297,472). The only aspect of the claim to which the rejection above does not apply is the provision for external memory that can be mounted/removed from the pendant or a communication means that communicates with the external memory. These differences do not patentably distinguish over the prior art. At the time applicant's invention was made, it would have been obvious to have provided the combination with removable memory or with a communication means as claimed, the reason being the teachings of Bong et al. (6,297,472) that it is advantageous to provided the teach pendant of a welding system with a data plug connected to removable memory or to communication means for the purpose of recording welding data (see element 421 in figure 25 of Bong et al. (6,297,472) and the discussion at column 34, lines 15-35).

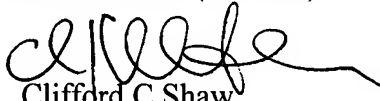
9.) The patents to Okazaki et al. (6,133,545) and to Hu et al. (6,744,011) are cited to show prior art arrangements wherein arc welding data is recorded and displayed.

Any inquiry concerning this communication should be directed to Clifford C Shaw at telephone number 571-272-1182. The examiner can normally be reached on Monday through Friday of the first week of the pay period and on Tuesday through Friday of the second week of the pay period.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Patrick J. Ryan, can be reached at 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Clifford C Shaw
Primary Examiner
Art Unit 1725

September 27, 2007